



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No.: MBHB02-763-B 400.129)

In the Application of:

McSwiggen, et al

Serial No.: 10/667,271

Filed: September 16, 2003

For: RNA Interference Mediated Inhibition
Of Hepatitis C Virus (HCV) Gene
Expression Using Short Interfering
Nucleic Acid (siNA)

Art Group: 1632

Examiner: Not assigned

Confirmation No. 8658

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir/Madam:

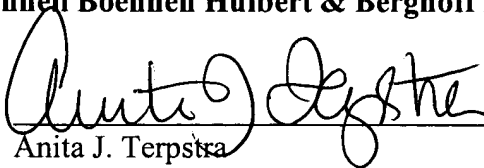
The undersigned representative hereby declares that the content of the electronic copies of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2), in lieu of the paper copy under 37 C.F.R. § 1.821(c), and computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. § 1.821(e), are identical in content. The sequence listing submitted herewith does not extend beyond the scope of the specification, and thus, does not contain new matter. The CD-R labeled "CRF of Sequence Listing submitted under 37 C.F.R. § 1.821(e)" contains an IBM compatible dos-text file of the sequence listing named "02-763-B Sequence Listing.txt".

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: March 29, 2004

By:


Anita J. Terpstra
Reg. No. 47,132

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TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("02-763-B Sequence Listing") submitted under 37 C.F.R. §1.52(e):

- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "02-763-B Sequence Listing.txt" which is 528KB in size and was created on 03/16/2004.

2. Statement under 37 C.F.R. § 1.821(f): The undersigned certifies that the original CD-R submitted herein, titled "02-763-B Sequence Listing" (COPY 1) and the copy CD-R entitled "02-763-B Sequence Listing" (COPY 2) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: March 29, 2004

By:

Anita J. Terpstra
Reg. No. 47,132

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